

STATE MS.-DE SOTO CO.
FILED

Jul 26 2 41 PM '01

BK 396 638
W.F. FRYEPREPARED BY:
AUSTIN LAW FIRM
316 WEST COMMERCE
HERNANDO, MS 38632
662-429-7888EASEMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, MICHAEL S. FRYE, AND WIFE, WENDY G. FRYE, grant to DESOTO COUNTY, MISSISSIPPI a non-exclusive permanent easement over the land in DeSoto County, Mississippi for the purpose of stabilizing and for erosion control on the south side of Byhalia Road and further for the right of Grantee to enter upon the following described area for maintenance purposes, said land described as part of the Northwest Quarter of the Northwest Quarter of Section 1, Township 3 South, Range 7 West, and being a strip of land south of the center of Byhalia Road, and being part of the below described property as follows:

See attached Exhibit A.

The easement is limited to the general construction and work performed on the ditch which runs along the above described property on the south side of Byhalia Road.

We fully understand that we have the right to receive just compensation for the use of real property herein described based on an appraisal of said property. We hereby waive our right to just compensation and donate the use of real property herein described to DeSoto County. We further understand that we have the right to request that a fair market value appraisal of the property be made and we hereby waive that right.

WITNESS OUR SIGNATURES this the 23 day of July,
2001.

Michael S. Frye
MICHAEL S. FRYE

Wendy G. Frye
WENDY G. FRYE

STATE OF MISSISSIPPI
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, Michael S. Frye, and wife, Wendy G. Frye, who acknowledged that they signed and delivered the above and foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal of office, this the 23 day of July, 2001.

Mayant Ann Richmond
NOTARY PUBLIC

My Commission Expires:

5/9/2004

GRANTORS ADDRESS: 5067 Byhalia Road, Hernando, MS 38632

GRANTORS PHONE NUMBER: Business - 901-797-4362

Home - 662-449-4625

GRANTEES ADDRESS: DeSoto County Courthouse, Hernando, MS

GRANTEES PHONE NUMBER: Business - (662) 429-5011

EXHIBIT A

A tract of land situated in the Northwest Quarter of the Northwest Quarter of Section 1, Township 3 South, Range 7 West, DeSoto County Mississippi, and more particularly described by metes and bounds as follows:

Beginning at a point in Byhalia Road 330 feet East of the Northwest Corner of said Section 1; thence South 4 degrees 50 minutes East 660 feet to a stake; thence North 85 degrees 10 minutes East 330 feet to a stake; thence North 4 degrees 50 minutes West 660 feet to a point in Byhalia Road; thence South 85 degrees 10 minutes West 330 feet to the Point of Beginning, as appears on survey plat and description of John W. McCormick, C.E., dated November 1969.

INDEXING INSTRUCTIONS: A tract of land located in the Northwest Quarter of the Northwest Quarter of Section 1, Township 3 South, Range 7 West, DeSoto County, Mississippi.

Less + Except:

That property conveyed to DeSoto County, Ms. in Book 46, Page 249.